

## HOME (POLICE) DEPARTMENT

The 29th March, 1978

No. 6020/B(SA2)(.)—Leave.—The Governor of Haryana was pleased to grant 24 days Earned leave from 15th February, 1978 to 10th March, 1978 with permission to suffix 11th March, 1978 and 12th March, 1978 being Gazetted holidays under rule 8.116 of the Punjab C.S.R., Vol. I, Part I, to Shri Dharam Singh, Deputy Superintendent of Police, Dadri, On the expiry of leave, he returned to the same post carrying same pay and allowances, on the forenoon of 13th March, 1978.

P. A. ROSHA, Jt. Secy.

## HEALTH DEPARTMENT

The 22nd March 1978

No. 9/6/78-5HBII.—Whereas the Governor of Haryana is satisfied that the State of Haryana is threatened with an out-break of dangerous epidemic disease, namely, Malaria and the ordinary provisions of the law for the time being in force are insufficient for the purpose. Now, therefore, in exercise of the powers conferred by section 2 of the Epidemic Diseases Act, 1897, the Governor of Haryana hereby makes the following regulations, namely:—

1. These regulations may be called the Haryana Epidemic Diseases (Malaria) Regulation, 1978.
2. In these regulations unless the context otherwise requires :—
  - (a) “Epidemic Disease” means Malaria.
  - (b) “Passive Surveillance Centre” means any place which may be declared by the Deputy Commissioner concerned in exercise of the powers conferred upon him to be a Passive Surveillance Centre.
  - (c) “Inspecting Officer” means a person appointed by the Director, Health Services or the Chief Medical Officer concerned to be an Inspecting Officer.
3. An Inspecting Officer who is unavoidably prevented from discharging all or any of the functions may by order in writing appoint any Medical Officer, Assistant Unit Officer, Health Supervisor (Malaria), Senior Malaria Inspector, Senior Sanitary Inspector, Malaria Inspector/Health Inspector/Surveillance Inspector/Sanitary Inspector, Basic Health Workers, Surveillance Worker to discharge such functions and every official so appointed shall so far as such functions are concerned be deemed for the purpose of these regulations to be an Inspecting Officer.
4. An Inspecting Officer may enter any premises, for the purpose of fever surveillance, treatment or spray. He may also authorise other persons of his team to enter such premises along with him, as he considers necessary.
5. An Inspecting Officer may put to any person any question he thinks fit, in order to ascertain whether there is any reason to believe or suspect that such person is or may be suffering from Malaria and such person shall give answer truly to question so put to him.
6. Whereas a result of such inspection or examination or otherwise the Inspecting Officer considers that there is reason to believe or suspect that such person is or may be infected with Malaria the Inspecting Officer may direct such person to give his blood slide for examination and to take such treatment as the Inspecting Officer may consider necessary. In case of a minor, such order shall be directed to the guardian or any other adult member of the Family of the minor.
7. The Inspecting Officer may order any premises to be sprayed with insecticides.
8. These regulations shall come into force at once and shall remain in force upto 31st December, 1978.

M. SETH, Commissioner and Secy.

## SOCIAL WELFARE DEPARTMENT

The 21st March, 1978

No. 7/6/78-SW(4).—In supersession of Haryana Government, Social Welfare Department, Notification No. 3931-SW4-75/9073, dated the 13th/16th June, 1975 and No. 540-SW4-77/640, dated the 24th February, 1977, the Governor of Haryana is pleased to reconstitute the Joint Committee for the management of the War Widows Home and Training-cum-Production Centre, Rohtak, with effect from 16th June, 1977, as under :—

1. Director, Social Welfare, Haryana

Chairman

|  |                  |
|--|------------------|
| 2. Shrimati Mohini Giri, President, War Widows Association, P. B. G. Line, Rashtrapati Bhavan, New Delhi | Member           |
| 3. Shrimati Mohini Bhagat, Advisor, Government of India, Ministry of Defence, New Delhi                  | Do               |
| 4. Shrimati Shakuntla Chaudhri General Manager, Black Partridge, Haryana Emporium, New Delhi             | Do               |
| 5. Programme Officer (Socio-Economic Division), Central Social Welfare, New Delhi                        | Do               |
| 6. Secretary, Haryana State Soldier's Sailors' and Airmen's Board or his representative                  | Do               |
| 7. Secretary, District Soldiers' Sailors' and Airmen's Board, Rohtak                                     | Do               |
| 8. District Welfare Officer, Rohtak  | Do               |
| 9. Manager, Production-cum-Training Centre, Infirmary (Mahila Ashram), Rohtak                            | Do               |
| 10. Deputy Director (Relief), Social Welfare Department, Haryana   | Member-Secretary |

2. The term of this Committee will be for a period of three years with effect from 16th June, 1977. Government may by an express order, reconstitute the Committee at any time.

3. The functions of the Joint Committee will be to guide and assist in the implementation of the Project for running of a Training-cum-Production Centre for War Widows at Rohtak.

4. The Committee will meet once every quarter or as may be decided by the Chairman at the Headquarters or at Rohtak.

5. Three Members shall form quorum for a meeting of the Committee.

6. The Headquarters of the Committee will be at Chandigarh.

7. The Members will receive travelling allowance and daily halting allowance as under :—

(a) The official members shall draw T.A./D.A. from their respective Departments as per conditions laid down in the T.A. Rules.

(b) The non-official members will draw T.A./D.A. from the Organisations to which they belong.

8. The expenditure involved shall be debitible to the Head "288, Social Security and Welfare D-IV—Women Welfare (1) Home and Destitute Women and Widows (Non-Plan)"

9. This issues with the concurrence of the Finance Department conveyed,—*vide* their U.O. No. 607-3FGII-78, dated the 13th March, 1978.

G. L. BAILUR,

Commissioner and Secretary to Government, Haryana Social Welfare Department.

#### HOUSING DEPARTMENT

The 27th March, 1978

No. 5/1/78/HG(1). In exercise of the powers conferred on him under section 24 of the Housing Board Act, 1971, all other powers enabling him in this behalf, the Governor of Haryana is pleased to

sanction the revised programme to be undertaken by the Housing Board, Haryana, Chandigarh during year 1977-78. The programme is published hereunder as required by section 25 of the said Act.

Particulars of the New and Continued revised programme to be undertaken by the Housing Board, Haryana during the year 1977-78.

| Serial No.                  | Name of Scheme          |       | No. of Units | Approx. Cost in lacs |
|-----------------------------|-------------------------|-------|--------------|----------------------|
| <b>I. Continued Schemes</b> |                         |       |              |                      |
| 1.                          | I. H. S. Faridabad      | EWS   | 734          |                      |
|                             |                         | LIG   | 245          | 300.00               |
|                             |                         | MIG   | 354          |                      |
| 2.                          | Gurgaon                 | EWS   | 61           |                      |
|                             |                         | LIG   | 49           | 46.00                |
|                             |                         | MIG   | 85           |                      |
| 3.                          | Rohtak                  | EWS   | 102          |                      |
|                             |                         | LIG   | 152          | 58.00                |
|                             |                         | MIG   | 63           |                      |
| 4.                          | Bhiwani                 | EWS   | 126          |                      |
|                             |                         | LIG   | 156          | 69.00                |
|                             |                         | MIG   | 102          |                      |
| 5.                          | Sonepat 11              | EWS   | 80           |                      |
|                             |                         | LIG   | 64           | 33.00                |
|                             |                         | MIG   | 35           |                      |
| 6.                          | K. Kshetra              | EWS   | 135          |                      |
|                             |                         | LIG   | 155          | 71.00                |
|                             |                         | MIG   | 94           |                      |
| 7.                          | Weavers Colony, Panipat | EWS   | 329          | 26.32                |
| 8.                          | Police Colony, Madhuban | EWS   | 150          |                      |
|                             |                         | LIG   | 502          | 115.80               |
|                             |                         | MIG   | 32           |                      |
| <b>II. New Schemes</b>      |                         |       |              |                      |
| 9.                          | Hissar                  | EWS   | 32           |                      |
|                             |                         | LIG   | 30           |                      |
|                             |                         | MIG A | 10           | 13.14                |
|                             |                         | MIG B | 4            |                      |
| 10.                         | Sirsia                  | EWS   | 299          |                      |
|                             |                         | LIG   | 112          | 52.62                |
|                             |                         | MIG A | 10           |                      |
|                             |                         | MIG B | 12           |                      |

| Serial No. | Name of Scheme | Name of Unit | Approx. Cost in lacs |
|------------|----------------|--------------|----------------------|
| 11.        | Karnal III     | EWS          | 309                  |
|            |                | LIG          | 192                  |
|            |                | MIG A        | 42                   |
| 12.        | P. Kula II     | MIG B        | 76.06                |
|            |                | EWS          | 24                   |
|            |                | LIG          | 352                  |
| 13.        | MIG P. Kula II | MIG A        | 318                  |
|            |                | HIG          | 159.04               |
|            |                | MIG B        | 30                   |
| 14.        | LIG K. Kshetra | MIG B        | 49.98                |
|            |                | LIG          | 123                  |
|            |                |              | 12.06                |

*Note.—Small number of booths will be provided in colonies.*

G. L. BAILUR, Secy.

### KURUKSHETRA UNIVERSITY

The 28th March, 1978

No. HRB-842-GAII-78/2704.—In exercise of the powers conferred by Statute 6(b)(7) of Schedule I to the Kurukshetra University, Kurukshetra Act, 1956, the Kuladhipati (Chancellor) of the Kurukshetra University, Kurukshetra is pleased to nominate the following as members of the 'Samsad' (Court) of the Kurukshetra University, Kurukshetra, for a period of three years with immediate effect in place of the retiring members noted below :—

| New Members   | Retiring Members  |
|---|---|
| 1. Shri Virender Singh,<br>Irrigation and Power Minister,<br>Haryana. | Shri Ram Saran Chand Mittal,<br>Ex-Finance Minister, Haryana.             |
| 2. Shri Daulat Ram,<br>Member, Haryana Public Service<br>Commission.  | Dr. P. N. Chhuttani,<br>Director, Post-Graduate Institute,<br>Chandigarh. |
| 3. Dr. Vishnoo Bhagwan,<br>Principal, Government College,<br>Gurgaon. | Smt. Shyama Sharma,<br>Principal, I. C. College,<br>Rohtak                |

G. MADHAVAN,  
Secretary to Governor, Haryana and  
Kuladhipati of the Kurukshetra University,  
Kurukshetra.

### HARYANA STATE LOTTERIES

The 21st March, 1978

No. DOL/HR/78/2418.—The Governor of Haryana is pleased to select the following persons as  
for the supervision of the 112th Draw held on Monday, the 13th March, 1978, at

1. Smt. Mohini Singh,  
W/o Ch. Partap Singh, I.A.S.,  
Deputy Commissioner,  
Bhiwani.

2. Ch. Jagbir Singh, H.C.S., Sub-Divisional Magistrate, Bhiwani.
3. Smt. Suman Malik, W/o Shri T. S. Malik, District Food and Supplies, Controller, Bhiwani.
4. Shri Jaipal Singh Sangwan, H.C.S., District Industries Officer, Bhiwani.
5. Shri R. S. Hooda, I.E.S., Deputy Conservator of Forests, Bhiwani.

L. M. JAIN, I.A.S.,  
Director of Lotteries and  
Joint Secretary to Government, Haryana,  
Finance Department, Chandigarh.

#### LABOUR DEPARTMENT

The 6th March, 1978

No. 2095-3Lab-78/1404.—In pursuance of the provision of section 17 of the Industrial Disputes Act, 1947 (Act No. XIV of 1947), the Governor of Haryana is pleased to publish the following award of the Presiding Officer, Industrial Tribunal, Faridabad, in respect of the dispute between the workman and the management of M/s. Elsons Cotton Mills, Private Limited 23rd Milestone, Mathura Road, Ballabgarh.

BEFORE SHRI NATHU RAM SHARMA, PRESIDING OFFICER, INDUSTRIAL TRIBUNAL, HARYANA, FARIDABAD

Application No. 20 of 1974, under section 33-A of the Industrial Disputes Act, 1947

*between*

SHRI RICHPAL WORKMAN AND THE MANAGEMENT OF M/S ELSONS COTTON MILLS, PRIVATE LIMITED, 23RD MILESTONE, MATHURA ROAD, BALLABGARH

*Present :-*

Shri Madhu Sudan Satyan Cowshish for the workman.

Shri R. N. Rai for the management.

#### AWARD

On receipt of the complaint notices were sent to the respondent. The respondent appeared and filed their reply. On the pleadings of the parties, the following issues were framed by my learned predecessor on 28th May, 1975:—

- (1) Whether the management has contravened the provision of section 33 of the Industrial Disputes Act, 1947 by terminating the services of the complainant (Shri Richpal Singh) during the pendency of the reference No. 104 of 1970 ?
- (2) Whether it is a case of retrenchment and not the termination of the services of the complainant as alleged by the management ?
- (3) Relief ?

The case was set for the evidence of the parties. The management examined their Labour Officer, Shri Jawala Singh as M.W. I and closed their case. The workman examined himself as W.W.I and closed their case.

Then the case was set for arguments. At this stage the workman wanted to rectify a mistake regarding the year of a pending reference No. 104. In their pleadings the workman had referred to reference No. 104 of 1970. They then stated that it was reference No. 104 of 1971 and not of 1970. This error was ordered to be rectified. I have considered all evidence oral as well as documentary of the parties. I have also heard their arguments. The management have also filed written arguments which too I have considered. The management plea is that it was a case of retrenchment in relation to the complainant and not a case of discharge or dismissal on account of mis-conduct. The management have placed several documents on file to prove that the complainants were retrenched and not dismissed nor discharged for mis-conduct and that there was no application of section 33-A to the facts of the case. I, therefore, give my findings issue-wise.

Issue No. 1

There are about 20 documents such as Exhibit M-1 to M-10 in proof of retrenchment. Then there are general notices and individual notices regarding retrenchment, they are Ex. M-29 to M-35. Exhibit M-36 is a copy of letter addressed to the Secretary, Labour Department Haryana Government regarding retrenchment. Exhibit M-38 is a letter of Conciliation Officer, Exhibit M-37 and M-39 are demand notices of the complainant. The learned representative for the management has cited 1950-67) S. C. K. J.—6 page 3621 and F. L. R.—1970 (21), page 229, in support of his contention that

retrenchment of workers by the employer does not contravene the provisions of section 33. He has further cited 1971 (22) FLR-page 152 and 1973 (43) FJR-page 217, 1960 (67)-5-SCLJ-2957, and 1977 (34) FLR-page 229, and also 1950(67)-4-SCLJ—page 2883 in support of his contention that retrenchment neither is an alteration in the conditions of service, nor dismissal or discharge for misconduct.

I have also gone through sections 33 and 33-A, the words of section 33 are very clear. It covers a case of alteration in the conditions of service and discharge or dismissal or misconduct during pendency of reference involving an industrial dispute. The retrenchment or termination of services, simplicitor are not covered under section 33 and when section 33 does not cover the case of the complainant, it is not contravention of section 33 and hence there is no application of section 33-A of the Industrial Disputes Act to the facts of the case. The complainants even in their complaint have not pleaded that they were dismissed for misconduct. Section 33 covers the case of dismissal for misconduct only and not other cases without misconduct. M. W. 1 has proved the documents relied on by the management in support of retrenchment. The management made a suggestion to W.W. 2 regarding retrenchment which he had denied. The workman had placed no documentary evidence on file to rebut that the management had retrenched them. All the more the management had proved retrenchment.

As discussed above, I do not find that the management had contravened the provisions of section 33 by retrenching the complainant. I, therefore, decide issue No. 1 against the workman.

**Issue No. 2 :**

As discussed above and perusing all the documents proved by the management referred to in my discussion under issue No. 1, I, find that the management had retrenched the complainant and had neither dismissed nor discharged them for misconduct nor had altered their condition of service. I, therefore, find issue No. 2 in favour of the management.

**Issue No. 3 :**

This issue relates to relief. The workmen are not entitled any relief. The complaint is dismissed. No order as to costs. Complaint No. 25 of 1974 was consolidated with this complaint. Hence this award disposes off complaint No. 25 of 1975 also accordingly.

Dated 15th February, 1978.

NATHU RAM SHARMA,  
Presiding Officer,  
Industrial Tribunal, Haryana,  
Faridabad.

Endorsement No. 132, dated the 15th February, 1978.

Forwarded (four copies) to the Secretary to Government, Haryana, Labour and Employment Departments, Chandigarh required under section 15 of the Industrial Disputes Act, 1947.

Dated the 15th February, 1978

NATHU RAM SHARMA,  
Presiding Officer,  
Industrial Tribunal, Haryana,  
Faridabad.

The 21st March, 1978

No. 2607-3Lab-78/1713.—In pursuance of the provision of section 17 of the Industrial Disputes Act, 1947 (Act No. XIV of 1947), the Governor of Haryana is pleased to publish the following award of the Presiding Officer, Industrial Tribunal, Faridabad, in respect of the dispute between the workman and the management of M/s Bar Malt India Private Limited, Jharsa Road, Gurgaon.

BEFORE SHRI NATHU RAM SHARMA, PRESIDING OFFICER, INDUSTRIAL TRIBUNAL, HARYANA, FARIDABAD

Reference No. 79 of 1977

*between*

SHRI MOHINDER SINGH, WORKMAN AND THE MANAGEMENT OF M/S BAR MALT INDIA (PRIVATE) LIMITED, JHARSA ROAD, GURGAON

*Precinct.—*

Shri S. K. Yadav, for the workman.

Shri M. P. Gupta, for the management.

**AWARD**

By order No. ID/GG/53-C-77/23315, dated 15th June, 1977, the Governor of Haryana, directed the following disputes between the management of M/s Bar Malt India (Private) Limited, Jharsa Road, Gurgaon and its workman Shri Mohinder Singh, to this Tribunal, for adjudication, in exercise of the powers conferred by clause (d) of sub-section (1) of section 10 of the Industrial Disputes Act, 1947 :—

Whether the termination of services of Shri Mohinder Singh was justified and in order ? If not, to what relief is he entitled ?

On receipt of the order of reference, notices were given to the parties. The parties appeared and filed their pleadings. From the pleadings of the parties, the following issues were framed on 30th August, 1977:—

Whether the termination of services of Shri Mohinder Singh was justified and in order? If not, to what relief is he entitled?

The case was fixed for the evidence of the management. The management examined their Factory Manager as M.W.I who proved resignation of the workman concerned. Then the representative for the management stated that there were pleadings regarding resignation but issue has not been framed on that pleadings. Then another issue was framed on 24th November, 1977 as issue No. 2 which is given below:—

(2) Whether the workman concerned tendered the resignation voluntarily?

The management stated that they have already given evidence on issue No. 2 and do not want to lead any further evidence on that issue. The management closed their case.

Then the case was fixed for the evidence of the workman. The representative for the workman prayed for adjournment which was granted and the case was fixed for 23rd February, 1978 for the evidence of the workman.

On 23rd February, 1978 the representative for the workman gave a statement that the workman has not contacted him since long and that he felt that the workman has gone somewhere else on job and that he had no instructions from the workman. I am satisfied from the evidence of the management that the workman resigned his job and the management did not terminate his services. I, therefore, give my award as follows:—

That the workman resigned his job of his own and the management did not terminate the services of Shri Mohinder Singh. The workman concerned is not entitled to any relief whatsoever.

Dated, the 24th February, 1978.

NATHU RAM SHARMA,  
Presiding Officer,  
Industrial Tribunal, Haryana,  
Faridabad.

—  
No. 159, dated the 28th February, 1978.

Forwarded (four copies) to the Secretary to Government, Haryana, Labour and Employment Departments, Chandigarh, as required under section 15 of the Industrial Disputes Act, 1947.

Dated, the 28th February, 1978.

NATHU RAM SHARMA,  
Presiding Officer,  
Industrial Tribunal, Haryana,  
Faridabad.

No. 2605-3Lab-78/1715.—In pursuance of the provisions of section 17 of the Industrial Disputes Act, 1947 (Act No. XIV of 1947), the Governor of Haryana is pleased to publish the following award of the Presiding Officer, Industrial Tribunal, Faridabad, in respect of the dispute between the workman and the management of M/s Omega Bright Steel (P) Ltd., Faridabad:—

BEFORE SHRI NATHU RAM SHARMA, PRESIDING OFFICER, INDUSTRIAL  
TRIBUNAL, HARYANA, FARIDABAD

Reference No. 214 of 1977

*between*

THE WORKMEN AND THE MANAGEMENT OF M/S OMEGA BRIGHT STEEL (P)  
LTD. FARIDABAD

Present:—

None for the workmen.

Shri B. R. Grover for the management.

## AWARD

By order No. ID/FD/2054-B/49066, dated 22nd November, 1977, the Governor of Haryana referred the following disputes between the management of M/s Omega Bright Steel (P) Ltd., Faridabad and its workmen to this Tribunal, for adjudication, in exercise of the powers conferred by clause (d) of sub-section (1) of section 10 of the Industrial Disputes Act, 1947 :—

- (1) Whether the workmen are entitled to the grant of *ad hoc* increase in wages? If so, with what details and from which date?
- (2) Whether the workmen are entitled to the grant of house rent allowance? If so, with what details and from which date?
- (3) Whether the workmen should be categorised and the grade and scales be fixed ? If so, with what details?
- (4) Whether the workmen should be supplied with uniforms? If so, with what details?
- (5) Whether the workmen should be granted bonus for the years 1974 and 1975? If so, with what details ?

On receipt of the order of reference notices were issued to the parties. The parties appeared and stated that settlement has been arrived at between them. On 15th February, 1978, the representative for the management produced the settlement. The representative for the workmen was not present. I have seen the settlement. It is fair and just. The parties prayed that the award be given in terms of settlement. I, therefore, give my award in terms of the settlement and the settlement shall form the award.

Dated, the 28th February, 1978

NATHU RAM SHARMA,  
Presiding Officer,  
Industrial Tribunal, Haryana,  
Faridabad.

No. 161 dated 28th February, 1978.

Forwarded (four copies) to the Secretary to Government, Haryana, Labour and Employment Departments, Chandigarh, as required under section 15 of the Industrial Disputes Act, 1947.

The 28th February, 1978.

NATHU RAM SHARMA,  
Presiding Officer,  
Industrial Tribunal, Haryana,  
Faridabad.

#### MEMORANDUM OF SETTLEMENT UNDER SECTION 12(3) OF INDUSTRIAL DISPUTES ACT, 1947.

~~Representing parties~~—M/s. Omega Bright Steel Private Limited, Sector 24 and workmen through Faridabad Engineering Workers Union (Regd), Faridabad.

~~Representing the Employer~~—Shri B. R. Grover, Authorised Representative on behalf of M/s. Omega Bright Steel FBD.

~~Representing the Employees~~—(1) Shri Ram Murthi Sharma.

- (2) Shri R. L. Sachdev.
- (3) Shri Dharam Vir.
- (4) Shri Jagan Nath.
- (5) Shri Sampat Pd.

#### SHORT RECITAL OF THE CASE.

Demand notice, dated 1st August, 1977 (copy enclosed) whereas the workmen had given a notice, dated 1st August, 1977. Subsequent to this Demand Notice the following settlement after negotiation.

## TERMS OF SETTLEMENT

**1. Grade & Scales.**

This demand is withdrawn.

**D.A. & other allowances.**

It is agreed between the parties that the management will give *ad hoc* incase of Rs. 13 (Thirteen only) to each worker with effect from 1st September, 1977.

**3. Cycle allowance.**

The demand for cycle allowance and quarter allowance is not pressable by the workmen, hence treated as withdrawn.

**4. Uniform.**

It is agreed that both the parties will negotiate in the next financial year.

**5. Demand of Bonus.**

For the year 1975-76, ending December, 1975, and December, 1976, it is agreed to be referred to Shri R. J. Abhuani, Deputy Labour Commissioner, Haryana, Chandigarh, with a request to decide this issue. The reference is termed as under:—

Whether the workers are legally entitled to Bonus under the Payment of Bonus Act as amended up to date. If so, with what effects.

**6. Rest of the demands for Milk, Gur are not pressed, in view that the management shall restore the old practice regarding this matter.**

It is agreed that the old Demand Notice, dated 22nd November, 1976, served by the workers shall be treated as having been withdrawn.

**8. The management agrees to give 3 cakes of Lifebuoy soap to each worker per month.**

In consideration of this settlement, the workers assure the management to maintain industrial peace and to maximise the production.

This settlement entered into today the 30th day of October, 1977 in presence of witnesses:—

**Representative of management—**

B. R. GROVER,

Authorised Representative  
on behalf of the management.

**Representing the workmen**

1. Sd/- Ram Murti Sharma
2. Sd/- R. L. Sachdeva.
3. Sd/- Dharam Vir Sharma.
4. Sd/- Jagannath.
5. Sd/- Charan Singh.
6. Sd/- Sampat Pd.

Signed in presence of—

SOM CHAND,  
Labour Officer-cum-  
Conciliation Officer,  
Faridabad.

No. 2606-3Lab-78/1717.—In pursuance of the provision of section 17 of the Industrial Disputes Act, 1947 (Act No. XIV of 1947), the Governor of Haryana is pleased to publish the following award of the Presiding Officer, Industrial Tribunal, Faridabad, in respect of the dispute between the workmen and the management of M/s Barmal (India) Pvt. Ltd. Gurgaon.

BEFORE SHRI NATHU RAM SHARMA, PRESIDING OFFICER, INDUSTRIAL TRIBUNAL,  
HARYANA, FARIDABAD

Reference No. 96 of 1977

*between*

SHRI VIJAY SINGH, WORKMAN AND THE MANAGEMENT OF M/S BARMALT (INDIA)  
PRIVATE LIMITED, GURGAON

Present :—

Shri S. K. Yadav for the workman.

Shri M. P. Gupta for the management.

#### AWARD

By order No. ID/GG/53-A-77/26264, dated 14th July, 1977, the Governor of Haryana, referred following dispute between the management of M/s Barmalt (India) Private Ltd., Gurgaon and its workman Shri Vijay Singh, to this Tribunal, for adjudication, in exercise of the powers conferred by clause (d), sub-section (1) of section 10 of the Industrial Disputes Act, 1947 :—

Whether the termination of services of Shri Vijay Singh, was justified and in order ? If not, to what relief is he entitled ?

On receipt of this order of reference, notices, were issued to the parties. The parties appeared and filed their pleadings. On the pleadings of the parties, the following issues were framed on 24th November, 1977 :—

- (1) Whether the workman concerned resigned his job voluntarily ?
- (2) If issue No. 1 is not proved, whether the termination of services of the workman concerned was justified and in order ? If not, to what relief is he entitled ?

The management filed their documents. The case was fixed for the evidence of the management. On the next date of hearing the evidence of the management was present but the representative of the workman prayed for an adjournment as he had to reach his place earlier. Then the case was fixed for 23rd February, 1978 for evidence of the management.

On 23rd February, 1978, the representative for the workman gave a statement that he has not been able to contact the workman concerned in spite of his sufficient efforts for searching the workman concerned and that the workman concerned did not seem interested in this case. He then stated that he had no instructions from the workman concerned to proceed with the reference. In the circumstances I gave my award as follows :—

That the termination of services of Shri Vijay Singh was justified and in order. He is not entitled to any relief.

NATHU RAM SHARMA,

Presiding Officer,  
Industrial Tribunal, Haryana,  
Faridabad.

No. 160, dated 20th February, 1978

Forwarded (four copies) to the Secretary to Government, Haryana, Labour and Employment Department, Chandigarh, as required under section 15 of the Industrial Disputes Act, 1947.

NATHU RAM SHARMA,

Presiding Officer,  
Industrial Tribunal, Haryana,  
Faridabad.

The 23rd March, 1978

No. 3262-3Lab-78/1730.—In pursuance of the provision of section 17 of the Industrial Disputes Act, 1947 (Act No. XIV of 1947), the Governor of Haryana is pleased to publish the award of the Presiding Officer, Labour Court, Rohtak, in respect of the dispute between the workman and the management of M/s Bharat Steel Tubes Limited, Ganaur :—

BEFORE SHRI MOHAN LAL JAIN, PRESIDING OFFICER, LABOUR COURT,  
HARYANA, ROHTAK

Reference No. 157 of 1977

*between*

SHRI NAND KISHORE WORKMAN AND THE MANAGEMENT OF M/S BHARAT STEEL  
TUBES LIMITED, GANAUR

**AWARD**

By order No. ID/RK/417-77/48199, dated 15th November, 1977, the Governor of Haryana referred the following dispute between the management of Ms. Bhart Steel Tubes Ltd, Ganaur and its workman Shri Nand Kishore to this Court for adjudication, in exercise of the powers conferred by clause (c) of sub-section (1) of section 10 of the Industrial Disputes Act, 1947:—

Whether the temination services of Shri Nand Kishore was justified and in order ? If not, to what relief is he entitled?

The parties put in their appearance in this Court on 30th January, 1978 in response to the usual notices of reference sent to them. The case having been adjourned to 23rd February, 1978, for filing of the written statement by the management concerned of the claim statement filed by the workman on 30th January, 1978. Shri Ram Kumar Jain, authorised representative of the workman made a statement before me on 23rd February, 1978 that the demand raised by the workman on the management leading to the reference had been satisfied,—*vide* settlement Ex. M-1 duly executed by the parties and the demand be thus treated as withdrawn.

It would thus appear that the demand served on the management leading to the reference has been duly satisfied and withdrawn and there is now no dispute between the parties requiring adjudication. I, hold accordingly and answer the reference while returning the award in these terms.

Dated 7th March, 1978.

MOHAN LAL JAIN,  
Presiding Officer,  
Labour Court, Haryana,  
Rohtak.

No. 628, dated the 13th March, 1978.

Forwarded (four copies) to the Secretary to Government, Haryana, Labour and Employment Departments, Chandigarh, as required under section 15 of the Industrial Disputes Act, 1947.

MOHAN LAL JAIN,  
Presiding Officer,  
Labour Court, Haryana,  
Rohtak.

The 27th March, 1978

No. 3545-3Lab-78/1732.—In pursuance of the provisions of section 17 of the Industrial Disputes Act, 1947 (Act No. XIV of 1947), the Governor of Haryana is pleased to publish the following award of the Presiding Officer, Labour Court, Rohtak, in respect of the dispute between the workmen and the management of M/s Nav Bharat Textiles, Panipat:—

BEFORE SHRI MOHAN LAL JAIN, PRESIDING OFFICER, LABOUR COURT,  
HARYANA, ROHTAK

Reference No. 5 of 1978

*between*

SHRI ANIL KUMAR WORKMAN AND THE MANAGEMENT OF M/S NAV BHARAT  
TEXTILES, PANIPAT

**AWARD**

By order No. ID/KNL/563-77/587, dated the 19th January, 1978, the Governor of Haryana referred the following dispute between the management of M/s Nav Bharat Textiles, Panipat and its

workman Shri Anil Kumar, to this Court, for adjudication, in exercise of the powers conferred by clause (c) of sub-section (1) of section 10 of the Industrial Disputes Act, 1947:—

“Whether the termination of services of Shri Anil Kumar was justified and in order ? If not, to what relief is he entitled ?”

Shri Harish Bagi authorised representative of the workman concerned who put in his appearance before me on 14th March, 1978 in response to the usual notices of reference sent to the latter, made a statement before me that the demand raised by the workman on the management concerned had been duly satisfied,—*vide* written settlement Exhibit W-1.

It would thus appear that the demand raised by the workman on the management leading to the reference has been duly satisfied and there is now no dispute between the parties requiring adjudication. I, hold accordingly and answer the reference while returning the award in these terms.

MOHAN LAL JAIN,

Dated, the 14th March, 1978.

Presiding Officer,  
Labour Court, Haryana,  
Rohtak.

No. 733, dated 17th March, 1978

Forwarded (four copies) to the Secretary to Government, Haryana, Labour and Employment Departments, Chandigarh, as required under section 15 of the Industrial Disputes Act, 1947.

MOHAN LAL JAIN,

Presiding Officer,  
Labour Court, Haryana,  
Rohtak.

No. 3543-3Lab-78/1734.—In pursuance of the provision of section 17 of the Industrial Disputes Act, 1947 (Act No. XIV of 1947), the Governor of Haryana is pleased to publish the following award of the Presiding Officer, Labour Court, Rohtak, in respect of the dispute between the workman and management of M/s The Atlas Cycle Industries Ltd., Sonepat:—

BEFORE SHRI MOHAN LAL JAIN, PRESIDING OFFICER, LABOUR COURT,  
HARYANA, ROHTAK

Reference No. 158 of 1977

*between*

SHRI RAM KUMAR WORKMAN AND THE MANAGEMENT OF M/S THE ATLAS CYCLE INDUSTRIES LTD., SONEPAT

#### AWARD

By order No. ID/RK/327-77/48163, dated 15th November, 1977, the Governor of Haryana referred the following dispute between the management of M/s The Atlas Cycle Industries Ltd., Sonepat and its workman Shri Ram Kumar to this Court for adjudication, in exercise of the powers conferred by clause (c) of sub-section (1) of section 10 of the Industrial Disputes Act, 1947:—

“Whether the termination of services of Shri Ram Kumar was justified and in order ? If not, to what relief is he entitled ?”

Whereas Shri S.K. Gulati put in his appearance in this court on behalf of the management as their authorised representative on 23rd February, 1978 in response to the usual notices of reference sent to the latter, the workman failed to appear on that date despite being duly served through registered notice on the address supplied by him with the result that *ex parte* proceedings were taken up against him and the case was adjourned to 13th March, 1978 for recording *ex parte* evidence of the management.

Shri S.K. Gulati appearing as MW-1 made an *ex parte* statement on 13th March, 1978 that in absence of the father's name and his complete address on record, he could not trace out the workman concerned and was not thus able to file the written statement and that there were many workmen of the name of Ram Kumar in their service.

I have seen the record and do not find either the name of the father of the workman concerned or the place of his residence or his address recorded in the notice of demand or in the reference. The absence of the workman on the fixed date of hearing despite service of notice of the reference on the address supplied by him through Shri D.P. Pathak of Bhartiya Mazdoor Sangh, Sonipat, however, indicates that he is not interested in pursuing the demand raised on the management leading to the reference. I hold accordingly and answer the reference while returning the award in these terms.

Dated the 14th March, 1978 -

MOHAN LAL JAIN,  
Presiding Officer,  
Labour Court, Haryana,  
Rohtak.

No. 735, dated the 17th March, 1978.

Forwarded (four copies) to the Secretary to Government, Haryana, Labour and Employment Departments, Chandigarh, as required under section 15 of the Industrial Disputes Act, 1947.

MOHAN LAL JAIN,  
Presiding Officer,  
Labour Court, Haryana,  
Rohtak.

No. 3546-3Lab.-78/1736.—In pursuance of the provision of section 17 of the Industrial Disputes Act, 1947 (Act No. XIV of 1947), the Governor of Haryana is pleased to publish the following award of the Presiding Officer, Labour Court, Rohtak, in respect of the dispute between the workman and the management of M/s Nav Bharat Textile, Panipat.

BEFORE SHRI MOHAN LAL JAIN, PRESIDING OFFICER, LABOUR COURT, HARYANA  
ROHTAK

Reference No. 4 of 1978

*between*

SHRI MAKSDUDAN, WORKMAN AND THE MANAGEMENT OF M/S NAV BHARAT  
TEXTILE, PANIPAT

#### AWARD

By order No. ID/KNL/563-77/593, dated 9th January, 1978, the Governor of Haryana referred the following dispute between the management of M/s Nav Bharat Textile, Panipat, and its workman Shri Maksudan, to this Court for adjudication, in exercise of the powers conferred by clause (c) of sub-section (1) of section 10 of the Industrial Disputes Act, 1947 :—

Whether the termination of services of Shri Maksudan was justified and in order? If not, to what relief is he entitled?

Shri Narish Bagi, authorised representative of the workman concerned, who put in his appearance before me on 14th March, 1978, in response to the usual notices of reference sent to the later, made a statement before me that the demand raised by the workman on the management concerned had been duly satisfied,—*vide* written settlement exhibit W-1.

It would thus appear that the demand raised by the workman on the management leading to the reference has been duly satisfied and there is now no dispute between the parties requiring adjudication. I hold accordingly and answer the reference while returning the award in these terms.

MOHAN LAL JAIN,  
Presiding Officer,  
Labour Court, Haryana,  
Rohtak.

Dated the 14th March, 1978

No. 732, dated the 17th March, 1978

Forwarded (four copies) to the Secretary to Government, Haryana, Labour and Employment Departments, Chandigarh, as required under section 15 of the Industrial Disputes Act, 1947.

MOHAN LAL JAIN,  
Presiding Officer,  
Labour Court, Haryana,  
Rohtak.